

116TH CONGRESS
2D SESSION

S. 4963

To establish a bipartisan Presidential Commission to study the establishment of a National Museum of the American People to tell the story about the making of the American People, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2020

Mr. SCHATZ introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish a bipartisan Presidential Commission to study the establishment of a National Museum of the American People to tell the story about the making of the American People, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Museum of
5 the American People Presidential Commission Establish-
6 ment Act of 2020”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Our Nation continues to struggle with ac-
2 ceptance of immigrant communities and individuals
3 having diverse ancestry despite their major contribu-
4 tions to our country.

5 (2) Our Nation is reeling from grave health dis-
6 parities among minority and immigrant commu-
7 nities, and structural inequities which have been ex-
8 posed by the pandemic.

9 (3) Our Nation recognizes its imperfections yet
10 continues to strive to uphold the principles, aspira-
11 tions, and ideals upon which our Nation was found-
12 ed.

13 (4) Our Nation is searching for unity and a Na-
14 tional Museum of the American People can serve as
15 a vehicle to bring all Americans together to help heal
16 our Nation's divisive wounds.

17 (5) A National Museum of the American People
18 would tell the full story about the making of the
19 American People from wherever they came: Europe,
20 Asia and the Pacific Islands, Oceania, the Middle
21 East, Africa, and the Americas, including the First
22 Peoples.

23 (6) There is no national museum in Wash-
24 ington, DC, that—

1 (A) tells the story of all of the people of
2 the United States; or

3 (B) tells a history of indigenous peoples,
4 colonization, slavery, immigration, and migra-
5 tion within the United States.

6 (7) A National Museum of the American People
7 would—

8 (A) recount the history of all groups of
9 people who came to the United States and the
10 contributions of those people to the United
11 States;

12 (B) have the theme “E Pluribus Unum”,
13 the original motto of the United States;

14 (C) celebrate all ethnicities in the United
15 States;

16 (D) foster a sense of inclusivity within the
17 United States;

18 (E) contribute to a common national iden-
19 tity as people of the United States;

20 (F) recognize the continued importance of
21 immigrants to our Nation’s success;

22 (G) highlight the Declaration of Independ-
23 ence, the Constitution, and the Bill of Rights,
24 the founding documents of the United States;

1 (H) explore the ways in which those docu-
2 ments shaped the character of the people of the
3 United States and infused the people of the
4 United States with common values and a dedi-
5 cation to a democratic form of government;

6 (I) be a resource for State, local, and eth-
7 nic museums throughout the United States that
8 present exhibits that celebrate the heritage of
9 the people of the United States; and

10 (J) benefit all people of the United States.

11 (8) People from every ethnic group in the
12 United States would visit a National Museum of the
13 American People to learn their own history and the
14 history of every other ethnic group in the United
15 States.

16 (9) Visitors from every country would visit a
17 National Museum of the American People to learn
18 about the American experience.

19 (10) The goal of a National Museum of the
20 American People would be to—

21 (A) be the best storytelling museum in the
22 world;

23 (B) recount one of the most amazing sto-
24 ries in human history;

1 (C) honor all of the people who have be-
2 come people of the United States;

3 (D) acknowledge that our Nation cele-
4 brates justice, equal opportunity, and respect
5 for the human dignity of all;

6 (E) educate every American about the im-
7 migration stories that contributed to the suc-
8 cesses and advancement of our Nation; and

9 (F) foster learning at the National Mu-
10 seum of the American People and throughout
11 the Nation.

12 (11) Upon the date of enactment of this Act,
13 non-Federal sources will be sought to support fund-
14 ing for a Commission to study the establishment of
15 the National Museum of the American People.

16 (12) Non-Federal sources are anticipated to
17 provide funding to design and build the National
18 Museum of the American People, its exhibitions, and
19 its components.

20 (13) Two hundred and fifty organizations rep-
21 resenting 73 different ethnic, nationality, minority,
22 and genealogical groups support the establishment of
23 a museum to tell their stories in a national Wash-
24 ington, DC, museum about becoming Americans.

1 **SEC. 3. COMMISSION TO STUDY ESTABLISHMENT OF A NA-**
2 **TIONAL MUSEUM OF THE AMERICAN PEOPLE.**

3 (a) IN GENERAL.—The President shall establish a bi-
4 partisan commission (referred to in this section as the
5 “Commission”) to study the establishment of a National
6 Museum of the American People (referred to as the “Mu-
7 seum”).

8 (b) MEMBERSHIP.—

9 (1) COMPOSITION.—The Commission shall be
10 composed of 23 members appointed not later than 6
11 months after the date of enactment of this Act as
12 follows:

13 (A) The President shall appoint 7 voting
14 members.

15 (B) The Speaker of the House of Rep-
16 resentatives, the minority leader of the House
17 of Representatives, the majority leader of the
18 Senate, and the minority leader of the Senate
19 shall each appoint 3 voting members.

20 (C) In addition to the members appointed
21 under subparagraph (B), the Speaker of the
22 House of Representatives, the minority leader
23 of the House of Representatives, the majority
24 leader of the Senate, and the minority leader of
25 the Senate shall each appoint 1 nonvoting mem-
26 ber.

1 (2) QUALIFICATIONS.—Members of the Com-
2 mission shall be chosen from among individuals, or
3 representatives of institutions or entities, who pos-
4 sess either—

5 (A) a demonstrated commitment to the re-
6 search, study, or promotion of the American
7 people as described in section 2 of this Act, to-
8 gether with—

9 (i) expertise in museum administra-
10 tion;

11 (ii) expertise in fundraising for non-
12 profit or cultural institutions;

13 (iii) experience in the study and
14 teaching of American culture and history
15 at the postsecondary level;

16 (iv) experience in studying the issue of
17 the Smithsonian Institution's representa-
18 tion of American art, life, history, and cul-
19 ture; or

20 (v) extensive experience in public or
21 elected service; or

22 (B) experience in the administration of, or
23 the planning for the establishment of, museums
24 devoted to the study and promotion of the role

1 of ethnic, racial, or cultural groups in American
2 history.

3 (3) PERIOD OF APPOINTMENT; VACANCIES.—

4 Members shall be appointed for the life of the Com-
5 mission. Any vacancy in the Commission shall not
6 affect its powers, but shall be filled in the same
7 manner as the original appointment.

8 (4) QUORUM.—A majority of the members of
9 the Commission shall constitute a quorum, but a
10 lesser number of members may hold hearings.

11 (5) INITIAL MEETING.—Not later than 30 days
12 after the date on which a quorum of members of the
13 Commission have been appointed, the Commission
14 shall hold its first meeting.

15 (6) MEETINGS.—The Commission shall meet at
16 the call of the Chair.

17 (7) CHAIR AND VICE CHAIR.—The Commission
18 shall select a Chair and Vice Chair from among its
19 members.

20 (c) DUTIES OF THE COMMISSION.—

21 (1) STUDY.—The Commission shall conduct a
22 thorough study of all matters relating to the estab-
23 lishment of a National Museum of the American
24 People.

1 (2) REPORT.—Not later than 1 year after the
2 date of the enactment of this Act, the Commission
3 shall submit a report to the President and Congress,
4 which shall contain a detailed statement of the find-
5 ings and conclusions of the Commission, together
6 with the Commission’s recommendations for such
7 legislation or administrative actions as the Commis-
8 sion considers appropriate, on the following issues:

9 (A) The mission of the National Museum
10 of the American People, which is to advance
11 and share knowledge about the full history of
12 the making of the American People who came
13 from every corner of our planet and are tied to-
14 gether by our Constitution’s first words: “We
15 the People”.

16 (B) The story about the making of the
17 American People in 4 chapters:

18 (i) First Peoples Come: 10,000+
19 years ago (est.)–1607.

20 (ii) The Nation Takes Form: 1607–
21 1820.

22 (iii) The Great In-Gathering: 1820–
23 1924.

24 (iv) Still They Come: 1924–present.

1 (C) The availability and cost of collections
2 to be acquired and housed in the Museum.

3 (D) Possible locations for the Museum in
4 Washington, DC, and its environs, to be consid-
5 ered in consultation with the National Capital
6 Planning Commission and the Commission of
7 Fine Arts, the Department of the Interior, and
8 the Smithsonian Institution.

9 (E) Whether the Museum should be part
10 of the Smithsonian Institution.

11 (F) The governance and organizational
12 structure from which the Museum should oper-
13 ate.

14 (G) The cost of constructing, operating,
15 and maintaining the Museum.

16 (3) LEGISLATION TO CARRY OUT PLAN OF AC-
17 TION.—Based on the recommendations from the
18 study under paragraph (1) and the report submitted
19 under paragraph (2), the Commission shall submit
20 for consideration to the Committee on Transpor-
21 tation and Infrastructure of the House of Represent-
22 atives, the Committee on House Administration of
23 the House of Representatives, the Committee on
24 Rules and Administration of the Senate, the Com-
25 mittee on Natural Resources of the House of Rep-

1 representatives, the Committee on Energy and Natural
2 Resources of the Senate, and the Committees on Ap-
3 propriations of the House of Representatives and the
4 Senate recommendations for a legislative plan of ac-
5 tion to create and construct the Museum.

6 (4) FUNDRAISING PLAN.—The Commission
7 shall develop a fundraising plan for supporting the
8 creation and maintenance of the Museum through
9 contributions by the American people and other
10 sources.

11 (d) POWERS OF THE COMMISSION.—

12 (1) HEARINGS.—The Commission may hold
13 such hearings, sit and act at such times and places,
14 take such testimony, and receive such evidence as
15 the Commission considers advisable to carry out this
16 Act.

17 (2) INFORMATION FROM FEDERAL AGENCIES.—
18 The Commission may secure directly from any Fed-
19 eral department or agency such information as the
20 Commission considers necessary to carry out this
21 Act. Upon request of the Chair of the Commission,
22 the head of such department or agency shall furnish
23 such information to the Commission.

24 (3) POSTAL SERVICES.—The Commission may
25 use the United States mails in the same manner and

1 under the same conditions as other departments and
2 agencies of the Federal Government.

3 (4) GIFTS.—The Commission may accept, use,
4 and dispose of gifts or donations of services or prop-
5 erty.

6 (e) COMMISSION PERSONNEL MATTERS.—

7 (1) COMPENSATION OF MEMBERS.—Each mem-
8 ber of the Commission who is not an officer or em-
9 ployee of the Federal Government shall be com-
10 pensated at a rate equal to the daily equivalent of
11 the annual rate of basic pay prescribed for level IV
12 of the Executive Schedule under section 5315 of title
13 5, United States Code, for each day (including travel
14 time) during which such member is engaged in the
15 performance of the duties of the Commission. All
16 members of the Commission who are officers or em-
17 ployees of the United States shall serve without com-
18 pensation in addition to that received for their serv-
19 ices as officers or employees of the United States.

20 (2) TRAVEL EXPENSES.—The members of the
21 Commission shall be allowed travel expenses, includ-
22 ing per diem in lieu of subsistence, at rates author-
23 ized for employees of agencies under subchapter I of
24 chapter 57 of title 5, United States Code, while

1 away from their homes or regular places of business
2 in the performance of services for the Commission.

3 (3) STAFF.—

4 (A) IN GENERAL.—The Chair of the Com-
5 mission may, without regard to the civil service
6 laws and regulations, appoint and terminate an
7 executive director and such other additional
8 personnel as may be necessary to enable the
9 Commission to perform its duties. The employ-
10 ment of an executive director shall be subject to
11 confirmation by the Commission.

12 (B) COMPENSATION.—The Chair of the
13 Commission may fix the compensation of the
14 executive director and other personnel without
15 regard to chapter 51 and subchapter III of
16 chapter 53 of title 5, United States Code, relat-
17 ing to classification of positions and General
18 Schedule pay rates, except that the rate of pay
19 for the executive director and other personnel
20 may not exceed the rate payable for level V of
21 the Executive Schedule under section 5316 of
22 such title.

23 (C) PERSONNEL AS FEDERAL EMPLOY-
24 EES.—

1 (i) IN GENERAL.—The executive di-
2 rector and any personnel of the Commis-
3 sion who are employees shall be employees
4 under section 2105 of title 5, United
5 States Code, for purposes of chapters 63,
6 81, 83, 84, 85, 87, 89, 89A, 89B, and 90
7 of that title.

8 (ii) MEMBERS OF COMMISSION.—
9 Clause (i) shall not be construed to apply
10 to members of the Commission.

11 (4) DETAIL OF GOVERNMENT EMPLOYEES.—
12 Any Federal Government employee may be detailed
13 to the Commission without reimbursement, and such
14 detail shall be without interruption or loss of civil
15 service status or privilege.

16 (5) PROCUREMENT OF TEMPORARY AND INTER-
17 MITTENT SERVICES.—The Chair of the Commission
18 may procure temporary and intermittent services
19 under section 3109(b) of title 5, United States Code,
20 at rates for individuals which do not exceed the daily
21 equivalent of the annual rate of basic pay prescribed
22 for level V of the Executive Schedule under section
23 5316 of such title.

24 (f) TERMINATION OF THE COMMISSION.—The Com-
25 mission shall terminate 90 days after the date on which

1 the Commission submits its recommendations under sub-
2 section (c)(3).

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated for carrying out the ac-
5 tivities of the Commission \$2,100,000 for the first fiscal
6 year beginning after the date of enactment of this Act and
7 \$1,100,000 for the second fiscal year beginning after the
8 date of enactment of this Act.

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